

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

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CARRIE ANN SILVA,

6:22-cv-01519-MC

Plaintiff,

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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(Proposed) Order Awarding Attorney's Fees  
pursuant to the Equal Access to Justice Act,  
28 U.S.C. § 2412(d)

Before the Court is the Motion of Plaintiff, Carrie Ann Silva, for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Based on the pleadings as well as the position of the defendant commissioner, if any, and recognizing Plaintiff's waiver of direct payment and assignment of EAJA to her counsel,

**IT IS HEREBY ORDERED** that attorney fees and expenses in the total amount of One Thousand Three Hundred Fifty-Four Dollars and Thirty-Six Cents (\$1,354.36) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

The Court hereby awards EAJA fees, broken down as follows:

1. Plaintiff is awarded 2.0 hours in 2022 at \$234.95 per hour and 1.1 hours in 2023 at \$424.78 per hour for a total of \$736.96 for attorney's fees under 28 U.S.C. § 2412(d);
2. Plaintiff is awarded 5.9 hours at \$100.00 per hour in the amount of \$590.00 for paralegal services.
3. Plaintiff is awarded \$27.40 in expenses for certified mail for service of Summons and Complaint.

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury's Offset Program (TOPS), then the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff's attorney, Edward A. Wicklund. Any costs may be paid either by electronic fund transfer (EFT) or by check.

Whether the check is made payable to Plaintiff or to Edward A. Wicklund, the check shall be mailed to Edward A. Wicklund at the following address:

250 South Clinton Street  
Suite 210  
Syracuse, NY 13202

So ordered.

Date: 8/21/2023

s/Michael J. McShane  
Michael J. McShane  
United States District Judge

[Proposed Order proffer: Edward A. Wicklund; copy to Justin L. Martin]